

REMARKS

Claims 1-20 are pending in the present application. Claims 13, 14, 16, 19, and 20 have been amended to correct typographic errors and/or to clarify the subject matter of the claimed invention. The amendments are supported throughout the specification and figures. No new matter is added by amendments. Applicants note with appreciation that the Examiner acknowledges that claims 1-12 are allowable. In view of the amendments and the following remarks, favorable reconsideration of this application is respectfully requested.

Claim 16 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description. The Examiner asserts that there is no written description for the limitation of “IP phone” and “non-IP phone” as claimed. Applicants traverse the rejection and direct the Examiner’s attention to figure 13, which shows telephone 4a connected to public network 4 connected to gateway 30, which is in turn connected to network 100b. The accompanying description clarifies that the public network connects to an ordinary telephone, i.e., a non-IP telephone, and discusses the use of a voice message, as recited in the amended claim (Specification; page 19, line 1 et seq. and specifically, page 20, lines 7-15). It is respectfully submitted that the specification provides sufficient written description to convey that the inventor had possession of the claimed invention. Therefore, it is respectfully requested that the rejection be withdrawn.

Claims 13-15 and 17-20 are rejected under 35 U.S.C. § 102 (e) as being anticipated by United States Patent No. 6,108,704 to Hutton et al. (hereinafter Hutton). Applicants respectfully traverse.

Amended claim 13 relates to a communication terminal equipment for performing communication control on information indicating whether or not any third party is present over a

network. Claim 13 includes, *inter alia*, presence inquiring means for making an inquiry *from a caller communication terminal* to a receiver communication terminal about a presence state of a communicating party. Claim 13 also includes presence information sending means for sending said presence information *from the receiver communication terminal* to the caller communication terminal upon reception of said inquiry.

It is respectfully submitted that Hutton does not disclose or suggest this feature.

Therefore, it is respectfully submitted that claim 13 is allowable.

Amended claim 14 relates to a method implemented in a caller communication terminal to indicate presence information associated with a receiver communication terminal. The method of claim 14 includes, *inter alia*, receiving said presence state associated with said receiver communication terminal, said received presence state comprising *at least two* of: a result of a check for active duration of a screensaver at said receiver communication terminal, a result of a check for duration of non-entry of inputs at said receiver communication terminal, a result of a pressure sensor check indicating load of an operator at said receiver communication terminal, and a result of a schedule check performed in conjunction with a schedule database.

It is respectfully submitted that Hutton does not disclose or suggest this feature.

Therefore, it is respectfully submitted that claim 14 is allowable.

Claims 15-18 depend from claim 14 and are therefore allowable for at least the same reasons as claim 14 is allowable.

Amended claim 19 relates to a multiline reception method to indicate presence information associated with a receiver communication terminal. The method of claim 19 includes, *inter alia*, receiving an inquiry *from a caller communication terminal* querying said receiver communication terminal regarding presence of an operator.

It is respectfully submitted that Hutton does not disclose or suggest this feature.

Therefore, it is respectfully submitted that claim 19 is allowable.

Claim 20 depends from claim 18 and is therefore allowable for at least the same reasons as claim 19 is allowable.

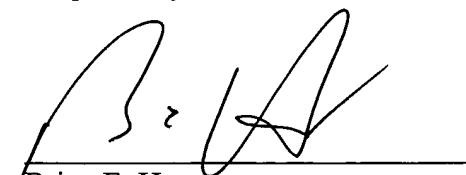
Claim 16 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Hutton in view of United States Patent No. 5,822,418 to Yacenda et al. (hereinafter Yacenda). Applicants respectfully traverse.

The addition of Yacenda fails to cure the deficiency discussed above as regards Hutton applied against claim 14, from which claim 16 depends. Therefore, claim 16 is allowable for at least the same reasons as claim 14 is allowable.

In view of the remarks set forth above, it is respectfully submitted that this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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